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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,353	05/23/2006	Jac-Jung Na	OT-5416	1741
7590		07/09/2007		
Lisa A Bongiovi Otis Elevator Company 10 Farm Springs Farmington, CT 06032			EXAMINER PICO, ERIC E	
			ART UNIT 3654	PAPER NUMBER
			MAIL DATE 07/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/580,353

Applicant(s)

NA, JAE-JUNG

Examiner

Eric Pico

Art Unit

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>05/23/2006</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim(s) 1-5 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Everhart et al. U.S. Patent No. 4735293 in view of Rush U.S. Patent No. 1515621.
3. **Regarding claim 1**, Everhart et al. discloses an elevator landing door system having a fire prevention device, comprising
 4. two door panels 26, 28 that are opened and closed;
 5. a fire prevention plate 80 extends alongside an opening and closing edge surface of one door panel 26, 28 on the side facing the elevator, said plate 80 including a downward slot 92, 94 inclined toward the opening and closing edge of the door panel 26, 28, and fixed to the door panel 26, 28 by a fastening means 96, 98 penetrating through the slot 92, 94a; and
 6. fixtures 112, 114, 116 tightly attached together with the door panel 26 and the fire prevention plate 80 by the fastening means 96, 98.
7. Everhart et al. is silent concerning fixtures made of a fusible material.
8. Rush teaches fixtures 24 made of a fusible material.

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9. It would have been obvious to one of ordinary skill in the art at the time of the invention to make the fixtures disclosed by Everhart et al. a fusible material as taught by Rush to facilitate the closing of the fire prevention plate during the event of a fire.

10. **Regarding claim 2**, Everhart et al. discloses said fixtures 112, 114, 116 are disposed between the one door panel 26, 28 and the said plate 80.

11. **Regarding claim 3**, Everhart et al. discloses said fixtures 112, 114, 116 are disposed between said plate 80 and the fastening means 96, 98.

12. **Regarding claim 4 and 5**, Everhart et al. is silent concerning fixtures are made of plastic or lead.

13. Everhart et al. is silent concerning fixtures made of a fusible material.

14. Rush teaches fixtures 24 made of a fusible material.

15. It would have been obvious to one of ordinary skill in the art at the time of the invention to make the fixtures disclosed by Everhart et al. a fusible material as taught by Rush to facilitate the closing of the fire prevention plate during the event of a fire.

16. It would have been obvious to one of ordinary in the art at the time of the invention was made to make the fixtures disclosed by Everhart et al. a fusible material as taught by Rush the fusible material being made of plastic or lead, since it has been held to be within the general skill to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

Conclusion

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17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ohler U.S. Patent No. 1358776, Smith U.S. Patent No. 1482949, Tomkinson et al. U.S. Patent No. 1768722, Prucha U.S. Patent No. 3325941, Rivera et al. U.S. Patent No. 5305855, Allen U.S. Patent No. 5899303.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Pico whose telephone number is 571-272-5589.

The examiner can normally be reached on 6:30AM - 3:00PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on 571-272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EEP


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